

## **REMARKS**

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

### **Claim Status**

Claims 1-29 are pending in this application. Claims 26-29 were previously withdrawn and are herein canceled. Claims 1-11 and 14 have been allowed. Claims 12, 13, 15 and 22-24 have been rejected. Claims 16-21 and 25 have been objected to by the Examiner. Claims 12, 15 and 23 are herein amended. Claim 25 is canceled. No new matter has been added by these amendments.

### **Rejections Under 35 U.S.C. § 112**

Claims 12, 13, 23 and 24 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In particular, the Examiner has indicated that claims 12 and 23 are indefinite because the claim feature “a phase controller, which outputs an output signal of the level selector as the internal clock signal in response to first and second phase control signals” is misdescriptive since “the phase controller is outputting a delayed version of the output signal of the level selector wherein the delay is controlled in response to the first and second phase control signals”.

Applicants have amended claims 12 and 23 to recite “a phase controller, which outputs a delayed version of the output signal of the level selector as the internal clock signal, in response to first and second phase control signals...”

Reconsideration of the rejections under 35 U.S.C. § 112 is respectfully requested.

### **Rejections Under 35 U.S.C. § 102(b)**

Claims 15 and 22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,404,248 (Yoneda).

Applicants respectfully acknowledge the Examiner's indication that claims 16-21 and 25 would be allowable if rewritten in independent form to include the limitations of their base claim and any intervening claims. Accordingly, Applicants have incorporated the features of claim 25 into independent claim 15 to place independent claim 15 and the claims which depend therefrom in condition for allowance.


### **Dependent Claims**

Applicants have not independently addressed the rejections of all the dependent claims because Applicants submit that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, supra, the dependent claims are also allowable. Applicants however, reserve the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

### CONCLUSION

Accordingly, Applicants submit that the claims as herein presented are allowable over the prior art of record, taken alone or in combination, and that the respective rejections be withdrawn. Applicants further submit that the application is hereby placed in condition for allowance which action is earnestly solicited.

Respectfully submitted,

By:   
Richard D. Ratchford Jr.  
Reg. No. 53,865  
Attorney for Applicant(s)

F. CHAU & ASSOCIATES, LLC  
130 Woodbury Rd.  
Woodbury, New York 11797  
Tel: (516) 692-8888  
FAX: (516) 692-8889